

Watson Coleman	Wilson (FL)	Yoho
Webster (FL)	Wilson (SC)	Young (AK)
Welch	Womack	Young (IA)
Wenstrup	Woodall	Young (IN)
Westerman	Yarmuth	Zeldin
Williams	Yoder	Zinke

## NAYS—29

Amash	Gohmert	McClintock
Babin	Gosar	Palmer
Brat	Griffith	Perry
Bridenstine	Harris	Price, Tom
Brooks (AL)	Huelskamp	Sanford
Buck	Jones	Sensenbrenner
Burgess	Jordan	Weber (TX)
Chaffetz	Labrador	Westmoreland
Duncan (TN)	Marchant	Wittman
Farenthold	Massie	

## NOT VOTING—20

Beyer	Lieu, Ted	Rooney (FL)
Brown (FL)	Moore	Ruppersberger
Carter (GA)	Mulvaney	Rush
Fincher	Pelosi	Sanchez, Loretta
Gutierrez	Poe (TX)	Tiberi
Joyce	Price (NC)	Walters, Mimi
Kelly (IL)	Rigell	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1755

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CARTER of Georgia. Mr. Speaker, on Thursday, September 22, 2016 I was absent due to personal reasons and missed votes. Had I been present, I would have voted as follows:

Rollcall No. 542 on ordering the previous question—"Aye." Rollcall No. 543 adoption of H.Res. 879—"Aye." Rollcall No. 544 passage of H.R. 5719—"Aye." Rollcall No. 545 passage of H.R. 5320—"Aye." Rollcall No. 546 passage of H.R. 5946—"Aye." Rollcall No. 547 passage of H.R. 2285—"Aye." Rollcall No. 548 passage of H.R. 5523—"Aye." Rollcall No. 549 passage of H.R. 5625—"Aye." Rollcall No. 550 passage of House Amendment to S. 1550—"Aye." Rollcall No. 551 passage of H.R. 4419—"Aye." Rollcall No. 552 passage of H.R. 5963—"Aye."

## PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 544 (on passage of H.R. 5719), 545 (motion to suspend the rules and pass, as amended H.R. 5320), 546 (motion to suspend the rules and pass, as amended H.R. 5946), 547 (motion to suspend the rules and pass, as amended H.R. 2285), 548 (motion to suspend the rules and pass, as amended H.R. 5523), 549 (motion to suspend the rules and pass, as amended H.R. 5625), 550 (motion to suspend the rules and pass, as amended House Amendment to S. 1550), 551 (motion to suspend the rules and pass, as amended H.R. 4419), and 552 (motion to suspend the rules and pass, as amended H.R. 5963) I did not cast my vote due to illness. Had I been present, I would have voted "yea" on all of the votes.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1878. An act to extend the pediatric priority review voucher program.

S. 2683. An act to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

The message also announced that pursuant to Public Law 110-315, the Chair, on behalf of the Democratic Leader, appoints the following individual to be a member of the National Advisory Committee on Institutional Quality and Integrity:

Steven VanAusdile of Washington vice Cameron Staples of Connecticut.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RUSSELL). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on postponed questions will be taken later.

## SAN LUIS REY INDIAN WATER RIGHTS SETTLEMENT ACT AMENDMENT

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1296) to amend the San Luis Rey Indian Water Rights Settlement Act to clarify certain settlement terms, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1296

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SAN LUIS REY SETTLEMENT AGREEMENT IMPLEMENTATION.

The San Luis Rey Indian Water Rights Settlement Act (Public Law 100-675) is amended by inserting after section 111 the following:

## "SEC. 112. IMPLEMENTATION OF SETTLEMENT.

"(a) FINDINGS.—Congress finds and recognizes as follows:

"(1) The City of Escondido, California, the Vista Irrigation District, the San Luis Rey River Indian Water Authority, and the Bands have approved an agreement, dated December 5, 2014, resolving their disputes over the use of certain land and water rights in or near the San Luis Rey River watershed, the terms of which are consistent with this Act.

"(2) The Bands, the San Luis Rey River Indian Water Authority, the City of Escondido, California, the Vista Irrigation District, and the United States have approved a Settlement Agreement dated January 30, 2015 (hereafter in this section referred to as the 'Settlement Agreement') that conforms to the requirements of this Act.

"(b) APPROVAL AND RATIFICATION.—All provisions of the Settlement Agreement, including the waivers and releases of the liability of the United States, the provisions regarding allottees, and the provision entitled 'Effect of Settlement Agreement and Act,' are hereby approved and ratified.

"(c) AUTHORIZATIONS.—The Secretary and the Attorney General are authorized to exe-

cute, on behalf of the United States, the Settlement Agreement and any amendments approved by the parties as necessary to make the Settlement Agreement consistent with this Act. Such execution shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). The Secretary is further authorized and directed to take all steps that the Secretary may deem necessary or appropriate to implement the Settlement Agreement and this Act.

"(d) CONTINUED FEDERALLY RESERVED AND OTHER WATER RIGHTS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, including any provisions in this Act, the Bands had, have, and continue to possess federally reserved rights and other water rights held in trust by the United States.

"(2) FUTURE PROCEEDINGS.—In any proceeding involving the assertion, enforcement, or defense of the rights described in this subsection, the United States, in its capacity as trustee for any Band, shall not be a required party and any decision by the United States regarding participation in any such proceeding shall not be subject to judicial review or give rise to any claim for relief against the United States.

"(e) ALLOTTEES.—Congress finds and confirms that the benefits to allottees in the Settlement Agreement, including the remedies and provisions requiring that any rights of allottees shall be satisfied from supplemental water and other water available to the Bands or the Indian Water Authority, are equitable and fully satisfy the water rights of the allottees.

"(f) NO PRECEDENT.—Nothing in this Act shall be construed or interpreted as a precedent for the litigation or settlement of Indian reserved water rights."

## SEC. 2. DISBURSEMENT OF FUNDS.

The second sentence of section 105(b)(1) of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100-675) is amended by striking the period at the end, and inserting the following: ", provided that—

"(i) no more than \$3,700,000 per year (in principal, interest or both) may be so allocated; and

"(ii) none of the funds made available by this section shall be available unless the Director of the Office of Management and Budget first certifies in writing to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate that the federal budget will record budgetary outlays from the San Luis Rey Tribal Development Fund of only the monies, not to exceed \$3,700,000 annually, that the Secretary of the Treasury, pursuant to this section, allocates and makes available to the Indian Water Authority from the trust fund."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentleman from California (Mr. HUFFMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DENHAM).

## GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

The bill before us today helps bring closure to almost 50 years of litigation and uncertainty that have impacted tribal and nontribal communities in southern California.

□ 1800

Negotiations between five tribes, water districts, cities, and Federal Government have been ongoing for decades, and this bill represents the results of those successful negotiations. The Federal money has already been appropriated for this settlement, and this bill, as amended, includes provisions that are aimed at resolving direct spending issues that have been identified by the Congressional Budget Office.

It is not often that both sides of the aisle come to an agreement on anything involving California water. While I hope that we will have agreement on larger California water issues in the near future, this bill shows that we can come together. I urge my colleagues to support this bipartisan measure.

Mr. Speaker, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

This bill approves a water rights settlement agreement that would resolve nearly five decades of litigation. That is a great thing.

The 2015 settlement between the United States and the parties that Mr. DENHAM just mentioned is important, and approving this settlement will finally put an end to years of bitter fighting over water rights in the San Luis Rey River Basin. It also leaves intact the full amount of funds Congress previously appropriated for the tribes. This kind of negotiation is important, and the painstaking work that has gone into it is to be commended. Now it is up to Congress to do its part to implement a well-crafted settlement.

I commend my colleagues across the aisle for introducing this bill and for moving it through the House, and I thank the committee staffs on both sides who have been working hard to bring this bill to the floor.

I have to say, though, Mr. Speaker, that all of this good, collaborative work represented in Mr. HUNTER's bill stands in contrast to another set of pending water agreements in our State. I hope that the Obama administration will look at this successful example of collaboration in San Diego County and reconsider its current approach to the Westlands-San Joaquin Valley drainage disputes, where Congress and the public have been extremely ill-served.

In the two pending drainage agreements, the Interior Department has agreed to waive hundreds of millions of dollars that are owed to taxpayers. They have failed to close off potential litigation risks from other parties and have failed to secure actual commitments to clean up the contamination. They have also promised to write a new, permanent water contract for a party that is not a tribal party but is

in an arid state where everyone is hurting for clean water. Meanwhile, we weren't able to receive administration testimony on one of the agreements due, in part, to a pending inspector general investigation of the beneficiaries.

I am hopeful that, in the next administration and in a new Congress, we can do a better job on this drainage issue and, specifically, that we will be able to tackle those California drainage disputes with the same level of collaboration and problem-solving that we have seen in the San Luis Rey Basin.

Mr. Speaker, I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. I thank the gentleman and my great friend from California.

Mr. Speaker, the parties to this settlement have been working towards a resolution for almost 50 years; so I will keep my remarks brief so that we don't delay them any further. Before I get into the substance of this bill, I thank Chairman BISHOP, Chairman FLEMING, and the Natural Resources Committee staff for their assistance in getting this bill to the floor right now. I also thank my friends across the aisle.

Today we are addressing an issue that dates back to the late 19th century, when the Federal Government established reservations—in what is now my district in northern San Diego County—for five Mission Indian bands. The creation of these reservations included sufficient water to meet the bands' present and future needs. However, in 1969, litigation arose surrounding whether the Federal Government improperly signed over the bands' water rights claims to two non-Indian municipalities—what are today the city of Escondido and the Vista Irrigation District.

In 1988, after decades of litigation, Congress enacted legislation that was introduced by former Congressman Ron Packard, the 1988 San Luis Rey Water Rights Settlement Act. Among its provisions, the legislation directed the U.S. Secretary of the Interior to provide water annually to the tribes and established the San Luis Rey Tribal Development Fund. However, that act only becomes effective when all of the parties to the litigation enter into a settlement agreement providing for the complete resolution of all claims. That is what the legislation we are considering today accomplishes.

This legislation puts into effect a previous Department of Justice settlement agreed to by all parties—the five Mission Indian bands, the two local municipalities, and the Federal Government—and requires no new money or water to be enacted. With the passage of H.R. 1296, Congress can, at last, end this dispute and finalize the action it sought in passing the original settlement act in 1988.

I urge all Members to support this bipartisan legislation.

Mr. HUFFMAN. Mr. Speaker, I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, in closing, this is one small step to California's water solutions. It is about time that we came together on this one small issue in California. Now it is time to face the much bigger issues of a drought-stricken State that continues to see a lack of water storage. It is time that we find a real solution for all of California.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 1296, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ROBERT EMMET PARK ACT OF 2016

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4564) to redesignate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302 as "Robert Emmet Park", and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4564

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Robert Emmet Park Act of 2016".

#### SEC. 2. FINDINGS.

Congress finds as follows:

(1) Robert Emmet was one of Ireland's most prominent historical figures, having led an effort to secure Irish independence in 1803.

(2) Although Emmet's efforts initially failed, they succeeded in inspiring new generations of Irish men and women to struggle for independence.

(3) For his efforts to gain Irish independence, Emmet was found guilty of treason and sentenced to death by hanging.

(4) Robert Emmet's "Speech from the Dock" motivated many of the efforts that led to an independent Ireland following 1916's Easter Rising; (Emmet famously said that "To [Ireland] I sacrificed every selfish, every lasting sentiment . . . I wished to place her independence beyond the reach of any power of earth . . . to procure for my country the guarantee which Washington procured for America . . . to exalt her to that proud station in the world."). Emmet was strongly influenced by American democracy and the American Revolution.

(5) Emmet had family members similarly admiring of the United States and dedicated to the cause of Irish independence, including his brother Thomas Addis Emmet who went on to become a prominent Attorney General of New York.

(6) Emmet has been revered by generations of Irish-Americans for his leadership, courage, and sacrifice.

(7) Fifty years ago on April 22, 1966, the Robert Emmet Statue was dedicated on a